M.R.O. 1—28,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1338 Press ~~Mis.~~

317-318

Dated 13th May 1918 69

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 13th May 1869.

No. 317. Read the following Proceedings of the Board of Revenue, dated 1st February 1869, No. 663A.

Read the following replies to Board's Circular Proceedings, dated 18th December 1867, No. 8,148, issued in accordance with Government Order, 11th November 1867, No. 2,664, calling for the opinions of Collectors as to the necessity of modifying Act III. of 1864, (Madras,) so as to include unfermented Toddy :—

From Collector of Ganjam, dated 14th January 1868, No. 45.
" Acting Collector of Vizagapatam, dated 31st December 1867, No. 1,062.
" Collector of Godavery, dated 7th January 1868, No. 4.
" Acting Collector of Kistna, dated 6th February 1868, No. 47.
" Collector of Nellore, dated 10th February 1868, No. 366.
" Collector of Bellary, dated 6th January 1868, No. 6.
" Collector of Cuddapah, dated 14th March 1868, No. 39.
" Collector of Kurnool, dated 3rd January 1868, No. 1.
" Collector of Madras, dated 25th February 1868, No. 62.
" Collector of North Arcot, dated 3rd February 1868, No. 30.
" Collector of South Arcot, dated 4th January 1868, No. 2.
" Do. do., dated 10th January 1868, No. 11.
" Collector of Tanjore, dated 18th January 1868, No. 13.
" Collector of Trichinopoly, dated 29th January 1868, No. 19.
" Collector of Madura, dated 22nd February 1868, No. 35.
" Collector of Tinnevelly, dated 26th December 1867, No. 710.
" Collector of Coimbatore, dated 31st January 1868, No. 36.
" Collector of Salem, dated 18th January 1868, No. 11.
" Collector of South Canara, dated 18th January 1868, No. 85.
" Collector of Malabar, dated 7th April 1868, No. 83.

Board's Proceedings, 4th October 1867, No. 6,340.

In November 1866 the Sub-Magistrate of Anantapur, in Bellary, decided that Toddy was not included in the Abkarry definition of liquor.

2. Mr. Foster, the Sub-Collector, supported him, and seemed to think that Toddy passes through three stages—

1.—Toddy, sweet, unfermented, drinkable.
2.—Toddy which has *eventually* begun to ferment, and is then undrinkable.
3—Toddy, distilled.

He was of opinion that Toddy possessed intoxicating properties before it began to ferment.

3. The question was referred to the Advocate-General who advised that Toddy was not a liquor, under Act III. of 1864, till it had begun to ferment.

4. The Government consider that Mr. Foster was mistaken in his facts that unfermented Toddy was harmless and insipid, and that after fermentation, it becomes highly intoxicating.

On the receipt of this Order, the Board suggested that the Act should be amended so as to include Toddy, fermented or unfermented.

5. The Government directed the Board to ascertain, by inquiry from Collectors, whether any such alteration in the law was necessary, and the papers recorded above contain their answers to the question.

Board's Procs., 18th December 1867, No. 8,148.

6. The Collectors of eight districts, namely, Godavery, Nellore, Madras, North Arcot, Tinnevelly, Salem and Malabar, are averse to any change in the law, so as to bring palm-juice in an unfermented state within the operation of the Abkarry Act. The Collectors of Ganjam and Kistna forbear to give a distinct opinion on this point. In Ganjam the sale of unfermented juice (chiefly of the Date tree) is small; in Kistna, considerable. The arguments used by some of the Collectors, who are adverse to the change, are that the sale of unfermented palm-juice is very limited, and that little abuse occurs. The Collector of Vizagapatam remarks that drunkards do not use it. In other districts the consumption is large, but the Collectors do not advise a change. The Collector of North Arcot, where the use of unfermented palm-juice is general, remarks that for five or six hours after it is first drawn, the juice of the palm has no intoxicating property, and is "esteemed a pleasant and wholesome beverage"; he observes that occasional abuse and breach of the law may arise, but he connot "advocate its inclusion amongst spirituous liquors, and "thereby deprive the people of a wholesome and greatful beverage". The Collector of Tinnevelly states that in the palmyra tracts of the district where it is everywhere sold, the unfermented juice of the palmyra "with Jaggery form the staple-food of "the people who consume but little grain; a tax on this juice would press very "hardly on a poor and industrious people." He adds that "very little Toddy or "fermented juice is consumed, and for the sale of this licenses are taken out in this "district". The Collectors of Nellore and Canara appear to consider that the law as it stands sufficiently includes all juice drawn, as fermentation sets in so soon that a breach of the law from its use may be inferred by a Criminal Court.

7. The following Collectors advocate legislative action—namely, Bellary, Cuddapah, Kurnool, South Arcot, Tanjore, Trichinopoly, Madura, Coimbatore and Canara. The arguments used by these Officers are chiefly that opinions and facts differ so widely as to when the juice drawn becomes a fermented liquor within the meaning of the law; that the legislature should step in to the rescue of doubting Judicial and Police Officers, and render convictions easy and certain, (Bellary, Kurnool, South Arcot, Tanjore and Canara); that by including all freshly drawn juice, the prevention of illicit traffic in fermented Toddy will be aided, and the revenue protected; and that in some districts, (South Arcot, Tanjore, and Madura) where "no distinction has been observed for Abkarry purposes between fermented "and unfermented Toddy," there will be loss to the farm, unless legislative protection be applied. The Collector of Trichinoply observes of his district, what is true of many, that the juice of the palm "is consumed more extensively in its unfermented state than after fermentation".

8. The Collector of Nellore quotes from Balfour's Cyclopædia as follows:—

"The taste of Toddy in its first state probably varies according to the state of "the weather and season of the year. It is drunk, though *rarely*, when fresh from "the tree, and is then a gentle aperient, particularly useful in delicate constitutions. "It is boiled down into a sugar called jaggery or goor, which is afterwards refined. "*It is fermented in the course of a day* into a mildly intoxicating liquor, still known

Proceedings of the Madras Government, Revenue Department, 13th May 1869.

"as Toddy, of which several pints are partaken before intoxication comes on. It is "also distilled into Arrack, made into Vinegar, and throughout all eastern coun-"tries it is employed as yeast, *as it begins to ferment in a few hours after it is drawn*".

9. A good deal of misapprehension arises, probably from the use of the word Toddy with reference to the unfermented juice of the palm. Unfermented juice is termed *Nira*, *Padineer*, and the like, which names describe a condition of the juice as well understood as must in the manufacture of wine, and this condition lasts for some hours, within which time it may be boiled down into coarse sugar or used as a wholesome drink.

10. The Board have given this question their careful consideration, and although, in their Proceedings, dated the 4th October 1867, they expressed an opinion that the law should be altered, they are now satisfied that it is not good policy to admit what must inevitably become a restriction on a useful manufacture, by allowing the farmer of the revenue to be raised from the sale of intoxicating liquors to challenge the extraction of juice for jaggery; nor to limit the consumption of a wholesome beverage largely used by the people, and thereby drive them to contractors' shops to be tempted by the more dangerous stimulant. Wherever, as in Tanjore, South Arcot and Madura, the interference of the Abkarry Contractor with the unfermented juice of the palm, in a manner not sanctioned either by the law as it stood before and still stands, has been permitted, the practice should be put a stop to at once.

11. The question of when fermentation has sufficiently advanced to develope intoxicating properties, is one of fact which must vary according to circumstances. The requisite warmth is always present after sun-rise in this country to favor fermentation, and if any of the ferment of the previous day be present in the utensils, the process at once commences; but the self-interest of the jaggery-boiler and dealer in (Nira or Padineer) fresh juice, stimulates those devices, and induces that cleanliness which checks rapid fermentation; nor does it seem either advisable or the intention of the law, that a liquor in which the vinous change has not advanced further than to make it present an effervescing appearance should be treated as a fermented liquor; the law applies to a fully fermented liquor, in which well-defined alcoholic properties present themselves.

No. 318. ORDER THEREON, 13th May 1869, No. 1,338.

Separate Revenue, No. 9.
Abkarry.

UNDER all the circumstances of the case, the Right Honorable the Governor in Council concurs with the Board of Revenue in considering that it is neither necessary nor expedient to include Toddy, in its unfermented state, among the liquors referred to in the Abkarry Act.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Genl. Dt. 1869 Entered.

REVENUE.

To

THE BOARD OF REVENUE.

Dated May 13th.

Read.

G. O., 13th May 1869, No. 1,338

MAY.

Nos. 317-318.

Unfermented Toddy.—Board of Revenue informed that it is neither necessary nor expedient to include it among the liquors referred to in the Abkarry Act.

3

No. 8,148.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 18th December 1867.

Read the following Proceedings of the Madras Government, dated 11th November 1867, No. 2,664, Revenue Department:—

No. 186. Read the following Proceedings of the Board of Revenue, dated 4th October 1867.

Read Proceedings of the Madras Government, Revenue Department, dated 28th June 1867, No. 1,453.

1. Communicated to the Collector of Bellary, for Mr. Foster's information and guidance.

2. The Board are of opinion that the Act should be amended so as to include Toddy. It is expressly mentioned in Regulation No. I. of 1820, and it was never intended to omit it in the new Act, whether before or after fermentation. If conviction is to turn on the question of fermentation, there will be very extensive smuggling. The new Act gives the privilege, not before conceded, of making liquor for home use.

No. 187. ORDER THEREON, 11th November 1867, No. 2,664.

Separate Revenue, No. 10.

Abkarry.

1. The Board will ascertain, by inquiry from the Collectors, whether actual necessity exists for modifying Madras Act No. III. of 1864, so as to include Toddy in an unfermented state under the Abkarry Regulations.

2. The Government doubt whether such Toddy could have been brought within the provisions of Regulation No. I. of 1820, which specifies "Rum, Arrack or other Spirits, or Toddy or *other fermented* liquors," which seems clearly to exclude *unfermented* Toddy.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.

Forwarded to all Collectors for early report. They should ascertain whether any extensive sale of *unfermented* Toddy takes place at the Abkarry shops, or elsewhere, in their Districts, for after fermentation it becomes a liquor included under the present Abkarry Act.

(True Extracts.)

(Signed) R. A. DALYELL,
Secretary.

(True Copy.)

(Signed) J. T. MAYNE,
Acting First Assistant.

To all Collectors.

Exd. J. Wright.

From R. K. PUCKLE, Esq., Collector of Tinnevelly, to the Secretary to the Board of Revenue, dated Trichendore, 26th December 1867, No. 710.

In reply to the Board's Proceedings, No. 8,148, dated 18th instant, I have the honour to inform that unfermented toddy or palmyra juice, locally known as padini, is sold everywhere in the palmyra tracts, and with jaggery forms the staple food of the people who consume but little grain; a tax on this juice would press very hardly on a poor and industrious people, and padini should certainly be exempted from the operations of Act No. III. of 1864; very little toddy or fermented juice is consumed, and for the sale of this licenses are taken out in this district.

Exd. T. Cartledge.

1867. Department.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

To all Collectors.

Dated 18th December 1867.

Received

No. 8,148.

Requesting all Collectors to report whether any necessity exists for modifying Madras Act No. III. of 1864, Abkarry Act, so as to include Toddy in an unfermented state under Abkarry Regulations.

From J. H. MASTER, Esq., Acting Collector of Vizagapatam, to the Secretary to the Board of Revenue, dated 31st December 1867, No. 1,062.

Referring to the Board's Proceedings, No. 8,118, dated 18th instant, I have the honour to state that I see no necessity to modify the Abkarry Act so as to include toddy in an unfermented state, the sale of such being very limited; indeed, toddy drinkers do not care for unfermented tolly, the fermented article is what they appreciate. The licenses framed by the Board of Revenue are well understood, and are sufficiently explicit to guard against any misconstruction as to what the description of toddy meant.

Exd. T. Cartledge.

From T. A. N. CHASE, Esq., Collector of Kurnool, to the Secretary to the Board of Revenue, dated 3rd January 1868, No. 1.

1. In reply to Proceedings of the Board, dated 18th December 1867, No. 8,148, I have the honour to inform you that I consider it highly necessary that toddy fermented and unfermented should be considered and defined in a Supplemental Act as a liquor.

2. Unfermented toddy is slightly intoxicating, and fermented toddy is very intoxicating. At present the definition does not include, in my opinion, even fermented toddy, because it is not manufactured, though fermentation does take place.

3. In Section 28 of the Act, the words "toddy," "drawing toddy," are first used, implying that toddy is considered a liquor, though not expressly. Section 29 talks of "exclusive privilege of selling toddy." There is no exclusive privilege of selling toddy unless toddy is considered to be a liquor.

4. The definition of the Act, I think, must have been made on the supposition that toddy (whether fermented or not) was intended to be included under the term liquor. For it is very clear, throughout the whole of the forms of licenses, which were framed shortly after the Act was passed, and probably by the same person who introduced the Bill before the Legislative Council, that toddy was undoubtedly considered as a liquor, as defined by the Act.

5. In Form A. (Board's Standing Circular No. 198) Clause 7, toddy may be drawn for domestic use, but not sold unless licensed by the renter.

In the Engagement B. the same words are used.

While in License C. and Engagement D. the word toddy is not used.

In the heading of H. the words fermented liquors (toddy excepted) and in Form I. the words liquors (arrack and toddy excepted) are used.

In Form K., Clause 1, the words arrack or toddy or any other liquor, and in Form X. and Z, the same words are used regarding toddy as in Forms A. and B.

6. These all clearly show that the word liquor, in the mind of the person who framed these forms, was understood, without doubt, to include toddy.

7. In a new Supplemental Act, I would recommend liquor to be defined as follows:—"The "term liquor shall be taken as denoting spirits, wine, beer, and all other intoxicating liquors "distilled or fermented, and toddy fermented or not."

8. I do not think that the renters would consider the introduction of the word toddy as a liquor as a hardship, because there is no doubt from the words of the Licenses and Engagements they already consider toddy included at the present moment.

9. Much unfermented toddy is not sold, because fermentation takes place very shortly after the toddy is drawn, and by the time it reaches the shops, it is always more or less fermented.

Exd. T. Cartledge.

From C. W. READE, Esq., Collector of South Arcot, to the Secretary to the Board of Revenue dated Cuddalore, 4th January 1868, No. 2.

Adverting to the Proceedings of the Board, dated 18th ultimo, No. 8,148, communicating the Orders of Government, dated 11th November last, No. 2,664, I have the honour to state that the inclusion of toddy in an unfermented state under the Abkarry Regulations is certainly necessary, for my present inquiry shows that the sale of unfermented toddy is extensively carried on throughout this district, and the exclusion of such toddy from the Abkarry Act, will necessarily occasion considerable loss to the Contractors, unless the omission in the law be speedily supplied.

Exd. T. Cartledge.

From A. WEDDERBURN, Esq., Collector of Bellary, to the Secretary to the Board of Revenue, dated 6th January 1868, No. 6.

1. In reply to Proceedings of the Board of Revenue, dated 18th December 1867, No. 8,148, requesting me to ascertain whether any extensive sale of unfermented toddy takes place at the Abkarry shops, or elsewhere, with the view that if so the same may be included in the modified Abkarry Act, I have the honour to state that toddy is not sold direct from the tree in this district; that only to lly consumed direct from the tree escapes fermentation, and that only early in the morning; that fermentation commences almost immediately, is aided by the motion of carriage; and that the liquor has an unmistakeable smell of fermentation in transit before it reaches the shop, or place of sale. I have only once tasted toddy, and that was fresh drawn from the tree, and in its smell resembled yeast, which is an element of fermentation.

2. I would recommend, to prevent cavil, that toddy fermented or unfermented should be included in the Act, because the fermentation is natural, and not an artificial process, and tastes, as well as opinions, might differ as to the exact point at which fermentation commences.

Exd. J. Wright.

From J. FRASER, Esq., Collector of the Godavery District, to the Secretary to the Board of Revenue, dated Kottapetta, Amalapur talook, 7th January 1868, No. 4.

1. With reference to the Board's Proceedings of the 18th ultimo, No. 8,148, I have the honour to state that toddy in an unfermented state is never sold in this district. It is sold largely under the trees from which it is drawn, but is then in a state of fermentation though not fully fermented and intoxicating.

2. In my opinion no alteration of Act No. III. of 1864 is required.

3. When "fully fermented" only toddy becomes sour and intoxicating; while in a state o fermentation it is sweet, rather mawkish in taste, and harmless.

Ed. T. Cartledge.

From C. W. READE, Esq., Collector of South Arcot, to the Secretary to the Board of Revenue, dated Cuddalore, 10th January 1868, No. 11.

1. In reference to the Board's Proceedings, dated 18th December last, No. 8,148, I have the honour to report that from my inquiries it appears clear that toddy in an infermented state is consumed very generally, and is sold at many of the Abkarry shops in this District though its sale is not nearly to the same extent as fermented toddy. I quite concur with the Board in their opinion that Madras Act No. III. of 1864 should be amended, and that as soon as possible, so as to include unfermented toddy.

2. It is obvious that although the sale of toddy in this stage may not be nearly as extensive as that of fermented toddy, the exclusion of the former from the Abkarry Regulations will afford very great facilities for smuggling the fermented liquor, and the Abkarry Renters will find much difficulty in obtaining convictions, and thus their Revenue derived from toddy will of necessity materially suffer.

3. The Abkarry Renters of this District have already complained to me on the subject, representing that in consequence of the opinion of the Advocate General (published by me in the District Gazette for the guidance of the Magistracy) serious difficulty has already been experienced by them in obtaining conviction in cases of smuggling, and thus that they are unable to realize their proper dues from the under-renters and shopkeepers.

4. Toddy in both stages has hitherto been looked upon as included in the Abkarry farm, and notwithstanding the wording in Regulation I. of 1820 as well as in Act No. III. of 1864 evidently excludes unfermented toddy, it has not been excluded either in the form of sale advertizement or in the licenses hitherto given to the Renters, wherein toddy in general terms is comprised in the Abkarry farm without specifying that fermented toddy is only intended. It appears to me therefore that the present Renters have a ground of grievance by the late sudden exclusion of unfermented toddy, and since there are no less than 450 Abkarry shops within the farm of this District, it is very probable that the Renters will have sustained some loss, and for which they will expect compensation.

Exd. T. Cartledge.

From D. F. CARMICHAEL, Esq., Collector of Ganjam, to the Secretary to the Board of Revenue, dated Camp at Kimedy, 14th January 1868, No. 45.

With reference to the Board's Proceedings of the 18th ultimo, No. 8,148, I have the honour to report that in this district the sale of sweet or unfermented Toddy goes on to a very limited extent. The only Toddy manufactured in this district is from Date-palms, and the juice in an unfermented state is considered unwholesome. Some of the lower classes of the Telugu population residing in the southern extremity of the district, and who live from hand to mouth, are said to use unfermented Toddy for cakes in lieu of Jaggery during the Pungal festival.

Exd. J. Wright.

From C. N. POCHIN, Esq., Collector of Salem, to the Secretary to the Board of Revenue, dated on Circuit at Omaloor, 18th January 1868, No. 11.

1. With reference to the Board's Proceedings of the 18th ultimo, No. 8,148, I have the honour to state that it is not necessary to include under the Madras Abkarry Act unfermented Toddy, but I think the question as to when Toddy really *becomes* fermented, or when it *begins* to ferment, should be placed beyond doubt. My own opinion is that fermentation sets in as soon as the Toddy leaves the tree and drops into the chatty. The question which requires really to be decided is, what is fermented Toddy, and is Toddy that has commenced to ferment a liquor falling within the meaning of the Act.

2. The only Toddy which may properly be classed as "unfermented," is that used for making Jaggery. In this case the chatty into which the Toddy drops is washed inside with chunam. This prevents fermentation taking place, and though not fermented, this description of liquid is not uncommonly drunk by natives. I believe it is not intoxicating.

Exd. J. Wright.

Exd. J. Wright.

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Y

From G. L. MORRIS, Esq., Collector of Tanjore, to the Secretary to the Board of Revenue, dated Point Calimere, Tritrapundi talook, 18th January 1868, No. 13.

1. With reference to the Board's Proceedings, dated the 18th December 1867, No. 8,148, I have the honour to state that the sale of unfermented Toddy does not take place in the Abkarry shops in this district, inasmuch as fermentation takes place directly after the Toddy is drawn, and it cannot, therefore, be sold in an unfermented state except to purchasers under the tree.

2. Hitherto, no distinction has been observed for Abkarry purposes, between fermented and unfermented Toddy in this district; but in order to avoid all future opening for doubt or difficulty in convicting parties who infringe the Abkarry Law, I think that it will be as well if Toddy in an unfermented state is included in the definition of intoxicating liquors by a special enactment.

Exd. J. Wright.

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From H. S. THOMAS, Esq., Acting Collector of South Canara, to the Secretary to the Board of Revenue, dated Mangalore, 18th January 1868, No. 85.

1. With reference to Board's Proceedings, dated 18th December last, No. 8,148, I have the honour to report that, in my opinion, legislation is not required, for as the toddy vessels are never thoroughly cleaned from their yesterday's fermentation, and the toddy is much shaken and carried about in the sun, fermentation sets in so rapidly that the presumption in favour of its having in some measure commenced before the toddy drawer has completed his morning tour of trees is so strong that it would require not to be proved by the prosecution, but rebutted by the defence, and this latter would be a difficult and delicate matter for real offenders.

2. Some Magistrates, however, think differently, and for their benefit legislation might be had.

3. But whether by presumption or legislation, the Abkarry contractors require to be protected; or the Act will be very largely infringed, especially in palm-growing localities, and in the neighbourhood of European Troops.

Exd. J. Wright.

From C. T. LONGLEY, Esq., Acting Collector of Trichinopoly, to the Secretary to the Board of Revenue, dated 29th January 1868, No. 19.

Adverting to the Board's Proceedings, No. 8,148, dated the 18th December 1867, I have the honour to report, that on inquiry it appears that Toddy is generally sold at the Abkarry shops in this district, more extensively in its *unfermented* state, than after fermentation; it appears to me very necessary to modify Madras Act No. III. of 1864, so as to include Toddy in an unfermented state under the Abkarry Regulations.

Exd. J. Wright.

From P. GRANT, Esq., Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 31st January 1868, No. 36

In reply to Board's Proceedings, dated 18th December last, No. 8,148, I have the honour to report that I think it necessary that Madras Abkarry Act No. III. of 1864, should be modified, so as to include Toddy in an unfermented state.

Exd. J. Wright.

From J. D. ROBINSON, Esq., Collector of North Arcot, to the Secretary to the Board of Revenue, dated Vellore, 3rd February 1868, No. 30.

With reference to the Proceedings of the Board, No. 8,148, dated 18th December last, I have the honour to state that sweet toddy is sold largely in the palmyra topes and other neighbourhoods where it is drawn. When fresh drawn and for four to six hours afterwards, this toddy has no intoxicating effect, and is esteemed a pleasant and wholesome beverage. In from four to six hours it begins to turn sour and ferment, and in this state it is sold at the licensed Abkarry shops as a spirituous liquor. Thus toddy, in its first form, does not come properly within the meaning of the present Abkarry Act, and, although its sale in this state may lead to occasional abuse and breach of the law, I should not be disposed to advocate its inclusion among spirituous liquors, (which it cannot properly be called,) and thereby deprive the people of a wholesome and grateful beverage.

Exd. J. Wright.

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V

From W. WILSON, Esq., Acting Collector of the Kistna district, to the Secretary to the Board of Revenue, dated Masulipatam, 6th February 1868, No. 47.

In reply to Board's Proceedings, No. 8,148, dated 18th December 1867, I have the honour to inform you that unfermented or fresh toddy, that is toddy before it has become sour, which it does after an average period of about twelve hours, is, according to my information derived from the Abkarry Contractor and Tahsildars, largely sold throughout this district. When it has turned sour it is not drunk, and is then only fit for distillation.

Exd. J. Wright

From J. A. C. BOSWELL, Esq., Acting Collector of Nellore, to the Secretary to the Board of Revenue, dated 10th February 1868, No. 366.

1. With reference to the Board's Proceedings, dated 18th December 1867, No. 8,148, I have the honour to report that, from the inquiries I have made, I learn that no extensive sales of unfermented toddy take place either at Abkarry shops or elsewhere. I give the following extracts from Balfour's Cyclopædia:—

"The taste of toddy in its first state probably varies according to the state of the weather and season of the year. It is drunk, though *rarely*, when fresh from the tree, and is then a gentle aperient, particularly useful in delicate constitutions. It is boiled down into a sugar called jaggery or goor, which is afterwards refined. *It is fermented in the course of a day* into a mildly intoxicating liquor, still known as toddy, of which several pints are partaken before intoxication comes on. It is also distilled into arrack made into vinegar, and throughout all eastern countries it is employed as yeast, as *it begins to ferment in a few hours after it is drawn.*"

2. Mr. Stokes, Acting Head Assistant Collector, states as to the practice of this district: "As the pots are usually attached to the trees for twenty-four hours, and it is most probable that some lees of fermented toddy remain in them before they are attached, these will, I believe, excite fermentation in the fresh toddy exuding from the trees, so that the contents of the pots, when removed from the trees, will be found to be in a great part already fermented."

3. Considering that toddy begins to ferment as soon as the sun rises, and that it is not generally sold until after fermentation, because only then it acquires its intoxicating quality, I cannot see any necessity for modifying Madras Act No. III. of 1864, so as to include toddy in an unfermented state under the Abkarry Regulation.

Exd. J. Wright.

From the Honourable D. ARBUTHNOTT, Collector of Madura, to the Secretary to the Board of Revenue, dated Camp at Vadugari, 22nd February 1868, No. 35.

With reference to the Board's Proceedings, No. 8,148, dated 18th December last, I have the honour to report that in most of the Abkarry shops of the district, unfermented toddy is extensively sold. The people are under the impression that toddy in an unfermented state is a liquor included in the Abkarry Act. If unfermented toddy is declared not to fall under the Act, there will immediately, I fear, arise extensive smuggling and heavy loss to the renters. The amendment of Act No. III. of 1864, so as to include unfermented toddy, is, therefore, in my opinion, absolutely necessary.

Exd. T. Cartledge.

From E. G. R. FANE, Esq., Collector of Madras, to the Secretary to the Board of Revenue, dated Sydapet, 25th February 1868, No. 62.

1. With reference to the Proceedings of the Board of Revenue, dated 18th December last, No. 8,143, I have the honour to state that the sale of unfermented toddy does not appear to be carried on to any extent in this district, and I do not, therefore, think there is any necessity to modify Madras Act III of 1864, so as to include toddy in an unfermented state.

2. The Deputy Collector of Madras, however, reports that with his permission and on separate licenses, small quantities of unfermented toddy are occasionally drawn from trees and sold in a few of the shops either for leavening bread or for medicinal purposes, and in that state is known in Tamil as "Nira."

Exd. T. Cartledge.

From F. B. MOLONY, Esq., Acting Collector of Cuddapah, to the Secretary to the Board of Revenue, dated on Circuit at Gandloor, 14th March 1868, No. 39.

1. With reference to the Board's Proceedings No. 8,143, dated 18th December 1867, I have the honour to inform you that I am unable to ascertain that any considerable quantity of toddy in an unfermented state is sold at any of the Abkarry shops or elsewhere in this district.

2. No doubt some unfermented Date toddy is so sold, but not, I believe, in large quantities. I should however recommend that Act No. III. of 1864 be so amended as to include unfermented toddy.

Exd. T. Cartledge.

Revenue Departm

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From G. A. BALLARD, Esq., Collector of Malabar, to the Secretary to the Board of Revenue,
dated Calicut, 7th April 1868, No. 83.

Adverting to the Board's Proceedings dated 18th December 1867, No. 8,148, I have the honour to report that the sale of unfermented toddy is reported not to be extensive in Malabar, and that, as far as this district is concerned, I do not think necessity exists for modifying Act No. III. of 1864, (Madras,) so as to include toddy in an unfermented state under the Abkarry Regulations.

Exd. T. Cartledge.

non expedient to

Revenue Department

№ 1338

Proceedings of the Madras Government

Under date the 13 May/62

Read the following

Proc. of the Board of Revenue.

Submitting to Government opinions of Collectors relative to inclusion of unfermented Toddy under Abkarry Regulations, with recommendation against such inclusion. — (R. C. 1st Feby/62 № 663

Under all the
circumstances of the ca
the Right Honorable th
Governor in Council
concurs with the Boar
of Revenue in consideri
that it is neither neces
nor expedient to includ
Toddy

fodaly in its unfermented
state among the liquors
referred to in the Mckarry

Act.

14 Copies Filed Dec 15